

1 ROBERT W. FREEMAN  
Nevada Bar No. 3062  
2 [Robert.Freeman@lewisbrisbois.com](mailto:Robert.Freeman@lewisbrisbois.com)  
E. MATTHEW FREEMAN  
3 Nevada Bar No. 14198  
[Matt.Freeman@lewisbrisbois.com](mailto:Matt.Freeman@lewisbrisbois.com)  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
702.893.3383  
6 FAX: 702.893.3789  
*Attorneys for Defendants*  
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8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

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11 TERREL GREGORY and ELLA UKAOMA-  
12 GREGORY, individuals,

13 Plaintiff,

14 vs.

15 REBECCA PALMER, an individual; SEAN  
MONTGOMERY, an individual; OSCAR  
16 CONCHAS, an individual; JESSE CESENA,  
an individual; THE CITY OF NORTH LAS  
17 VEGAS, a municipal governmental entity and  
a political subdivision of the State of Nevada;  
DOE EMPLOYEES I through X, inclusive,  
18 DOES I through XV, inclusive; and ROE  
CORPORATIONS I through X, inclusive,  
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20 Defendants.

CASE NO. 2:20-cv-1439-APG-EJY

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[THIRD REQUEST]**

21 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of  
22 record, hereby stipulate and request that this Court extend discovery in the above-captioned case  
23 by ninety-one (91) days, up to and including Monday, December 6, 2021. In addition, the parties  
24 request that the all other future deadlines contemplated by the Discovery Plan and Scheduling  
25 Order be extended pursuant to Local Rule. In support of this Stipulation and Request, the parties  
26 state as follows:

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1. On August 4, 2020, Plaintiffs filed their Complaint in the United States District Court, District of Nevada.
2. On September 8, 2020, Defendants filed their Answer to Complaint.
3. On September 22, 2020 the parties conducted an initial FRCP 26(f) conference
4. On September 29, 2020, Defendants served their FRCP 26 Initial Disclosures on Plaintiff.
5. On October 2, 2020, Plaintiff served his FRCP 26 Initial Disclosures on Defendant.
6. On November 5, 2020, the Court entered the Stipulated Discovery Order.
7. On January 26, 2021, Defendant served written discovery on Plaintiff. Plaintiff served his responses on March 3, 2021.
8. On March 9, 2021, Plaintiff served written discovery on Defendants. Defendants served their responses on May 11, 2021.
9. On July 13, 2021, Defendants took the deposition of Plaintiff Terrell Gregory.

#### **DISCOVERY REMAINING**

1. The parties will continue participating in written discovery.
2. Defendants will take the depositions of plaintiffs.
3. Plaintiffs will take the depositions of the defendants.
4. Defendants will gather records/documents pertinent to plaintiffs' claim.
5. The parties may take the depositions of any and all other witnesses garnered through discovery.
6. The parties will depose the respective expert witnesses.

#### **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

1 An extension is requested in this case primarily because one of the Plaintiffs has died  
 2 during the pendency of this litigation. On March 27, 2021, Eila (Ella) Ukaoma-Gregory passed  
 3 away. Plaintiff Terrel Gregory therefore requires an extension of time to prepare an  
 4 administration for the estate to further pursue the litigation on behalf of his mother.

5 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs  
 6 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or  
 7 motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than  
 8 twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR  
 9 26-3.

10 This is the third request for extension of time in this matter. The parties respectfully  
 11 submit that the reasons set forth above constitute compelling reasons for the short extension.

12 The following is a list of the current discovery deadlines and the parties' proposed  
 13 extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Monday, September 6, 2021</i>	<i>Monday, December 6, 2021</i>
Deadline to Amend Pleadings or Add Parties	<i>Closed</i>	<i>Closed</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Closed</i>	<i>Closed</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Closed</i>	<i>Closed</i>
Dispositive Motions	<i>Wednesday, October 6, 2021</i>	<i>Wednesday, January 5, 2022</i>
Joint Pretrial Order	<i>Friday, November 5, 2021</i>	<i>Friday, February 4, 2022</i>

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery period  
2 by ninety-one (91) days from the current deadline of September 6, 2021, up to and including  
3 December 6, 2021, and the other dates as outlined in accordance with the table above.

4 Dated this 2<sup>nd</sup> day of August, 2021.

Dated this 2<sup>nd</sup> day of August 2021.

5 LEWIS BRISBOIS BISGAARD & SMITH LLP

CLEAR COUNSEL LAW GROUP

6 */s/ Robert W. Freeman*

*/s/ Shea I. Billadeau*

7 ROBERT W. FREEMAN, JR.

JARED RICHARDS

8 Nevada Bar No. 3062

Nevada Bar No. 11254

9 E. MATTHEW FREEMAN

SHEA I. BILLADEAU

10 Nevada Bar No. 14198

Nevada Bar. 14481

6385 S. Rainbow Blvd., Suite 600

1671 W. Horizon Ridge Parkway, Suite 200

Las Vegas, Nevada 89118

Henderson, Nevada 89102

11 *Attorneys for Defendants*

*Attorney for Plaintiffs*

12  
13 **ORDER**

14 IT IS SO ORDERED.

15 Dated this 2nd day of August, 2021.

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17 DAYNA L. ZOUCHEK  
18 U.S. MAGISTRATE JUDGE  
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